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Case No.: 2:12-CR-00164-APG-VCF

ORDER RELEASING DEFENDANT WITH CONDITIONS

VS.

Defendants.

Based on the information in the record and the arguments and discussions presented at the February 24, 2015 hearing, I find by clear and convincing evidence that Mr. Sobesky has recovered to such an extent that his conditional release under a prescribed regimen of medical, psychiatric, or psychological care or treatment will no longer create a substantial risk of bodily injury to himself or another person or serious damage to the property of another. Therefore,

IT IS HEREBY ORDERED that defendant Michael Sobesky be conditionally discharged under the prescribed treatment regimen certified as appropriate by Warden Jett's certification (Dkt. #91). Specifically, following conditions and treatment regimen shall apply:

1. Mr. Sobesky shall be and remain under the supervision of the United States Probation Office for the District of Nevada, and shall comply with all of the standard conditions of supervision, any other conditions adopted by the U.S. Probation Office, and the specific conditions set forth herein. Mr. Sobesky's initial supervising U.S. Probation Officer is Ms. Joy Gabonia, Senior U.S. Probation Officer, Foley Federal Building, 300 Las Vegas Blvd., South, Suite 1200, Las Vegas, NV 89101, (702) 527-7300. Mr. Sobesky shall report to the U.S. Probation Officer as directed.
2. Mr. Sobesky will reside with his father, Richard Sobesky, at 2132 Willowbury Drive #C, Las Vegas, Nevada. Mr. Sobesky will not make any change in his residence without the advance approval of the mental health providers and the final approval of the Supervising U.S. Probation Officer.
3. Mr. Sobesky will comply with all recommendations of treatment and will comply with all appointments with Harmony Healthcare or another mental health facility as approved by the U.S. Probation Officer. Mr. Sobesky shall not change mental health providers without advance approval of the U.S. Probation Officer.
4. Mr. Sobesky is restricted from travel outside of the District of Nevada except with the prior approval of the U.S. Probation Officer.
5. Mr. Sobesky shall comply with psychiatric treatment as directed by the treatment team and the U.S. Probation Office, to include oral and injectable psychotropic medications.
6. While Mr. Sobesky is outpatient counseling, he may be admitted to an inpatient facility or placed in a crisis stabilization facility should his treating clinicians or U.S. Probation Officer deem it is necessary for his safety or the safety of the community.
7. Mr. Sobesky is to abstain from all use of alcohol and other drugs not prescribed by his treating physician. His treating physician shall notify the U.S. Probation Officer of any changes in the administration of antipsychotic drugs.
8. Mr. Sobesky is to submit to urine analysis and other drug testing for the detection of use of controlled substances and to undergo regular urine and serum blood level screening if ordered by the treating physician and U.S. Probation Officer to ensure abstinence from substances and the maintenance of a therapeutic level of medication.
9. Mr. Sobesky shall participate in outpatient/inpatient substance abuse counseling as directed by the U.S. Probation Officer, if deemed necessary.
10. Mr. Sobesky shall not possess any firearms, destructive device, or other dangerous weapons.
11. Mr. Sobesky shall submit his person, property, residence, place of business, and vehicle under his control to a search, conducted by the United States Probation Officer or any authorized person under the immediate and personal supervision of the

1 Probation Officer, at a reasonable time and in a reasonable manner, based upon
2 reasonable suspicion of contraband or evidence of a violation of a condition of
3 supervision; failure to submit to a search may be grounds for revocation. Mr.
4 Sobesky shall inform any other residents that the premises may be subject to a search
5 pursuant to this condition.

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7 12. Mr. Sobesky shall not commit another federal, state, or local crime.

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9 13. Mr. Sobesky is to report any contact with any law enforcement officer to the U.S.
10 Probation Office within 24 hours of the contact.

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12 14. Mr. Sobesky will be supervised by the U.S. Probation Office for a specified period
13 imposed by the Court to ensure his compliance. Mr. Sobesky will comply with the
14 standard conditions of the U.S. Probation Office, District of Nevada, including
15 waiving his right to confidentiality regarding his mental health treatment in order to
16 allow sharing of information with the Supervising Probation Officer who will assist in
17 evaluating the ongoing appropriateness of community placement.

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19 15. The medical provider may at any time recommend modification or elimination of the
20 regimen of medical, psychiatric, or psychological care or treatment, upon certification
21 to this Court that to do so would not create a substantial risk of bodily injury to
22 another person or serious damage to the property of another. Any party requesting
23 modification or termination of the Conditions of Release shall submit adequate
24 documentation supporting the request through the Supervisory U.S. Probation
25 Officer, to the Civil Division of the U.S. Attorney's Office for the District of Nevada
26 for a determination as to whether a motion for release should be filed.

16. Mr. Sobesky's failure to adhere to any of these conditions will result in him being
located, taken into custody, and subsequently reviewed by the federal court of
jurisdiction for suitability for continued release to the community.

IT IS FURTHER ORDERED, as an explicit condition of release, that Mr. Sobesky shall
comply with this prescribed regimen of medical, psychiatric, or psychological care or treatment.

Dated this 12th day of March, 2015.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE